

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

SHEANETER J. BOGAN

PLAINTIFF

V.

CIVIL ACTION NO. 1:14CV225-SA-DAS

MTD CONSUMER GROUP, INC.

DEFENDANT

ORDER

Pending before the Court is Plaintiff's Motion for Extension of Time to File Motion for Attorney's Fees and Expenses [89], as well as Defendant's Motion for Extension of Time for the Filing of Post-Trial Motions Under FED. R. CIV. P. 59(e) [90].

Regarding Plaintiff's Motion, Federal Rule of Civil Procedure 54(d)(2)(B) requires a motion for attorneys' fees and expenses to be filed within fourteen (14) days after the entry of the judgment. However, for good cause shown, the court may extend such deadline. FED. R. CIV. P. 6(b). Plaintiff notes that a Motion for Attorney's Fees may become moot pending the outcome of Plaintiff's anticipated post-trial motion requesting a new trial on the issue of damages, and therefore requests that the deadline be extended to fourteen days after the entry of this Court's final order disposing of all post-trial motions. Plaintiff's Motion is GRANTED.

Turning to Defendant's Motion, Rule 59(e), provides in pertinent part, "a motion to alter or amend the judgment shall be served not later than 28 days after entry of the judgment." FED. R. CIV. P. 59(e). However, the court is not permitted to extend the time in which such a motion may be filed. *See* FED. R. CIV. P. 6 ("A court must not extend the time to act under Rules 50(b) and (d), 52(b), 59(b), (d), and (e), and 60(b)"). Therefore, Defendants' Motion is DENIED.

SO ORDERED this 9th day of February, 2017.

/s/ Sharion Aycock
UNITED STATES DISTRICT JUDGE